IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

WP(C).No. 34486 of 2007(Y)

PETITIONER:

SMT.KUNHIPURAYIL RAMAVATHI,D/O.GOPALAN
AGED 55 YEARS, RESIDING AT KARAYI VEEDU
KAKKAD P.O., KANNUR 670005.

BY ADV. SRI.A.MOHAMED MUSTAQUE
SRI.KAUSER EDAPPAGATH

RESPONDENTS:

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1. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, KANNUR-1.

2. SRI.KAYANADATH CHANDRAN
'CHANDANA' KAKKAD P.O.
KANNUR 670005

3. SRI.P.K.PURUSHOTHAMAN
P.K.HOUSE,NEAR MADAYANPEEDIKA
KAKKAD P.O. KANNUR 670005

4. SMT.KARAYI ANITHA
KARAYI HOUSE ,NEAR MADAYANPEEDIKA
KAKKAD P.O. KANNUR 670005

5. THE DISTRICT COLLECTOR
KANNUR-1.

R1 BY ADV. SRI.P.P.THAJUDEEN, SC
R5 BY G.P. SMT.SMITHA SUKUMAR
ADV. SRI.SATHISH NINAN
SRI.SANTHOSH MATHEW
SRI.P.M.PAREETH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF THE OBJECTION SUBMITTED BY PETITIONER BEFORE R5.

P2: TRUE COPY OF ORDER ISSUED BY R5 DT.12.11.07.

TRUE COPY

PA TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.34486 of 2007

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Dated this the 6th day of December, 2007.

JUDGMENT

Heard counsel for the petitioner and Standing Counsel for KSEB. Petitioner's case is that petitioner has only 3 cents of land and if electric line is permitted over the property, it will lead to inconvenience to the petitioner. However, on going through the sketch produced by KSEB in court I find the line passing over petitioner's property is only a weatherproof cable of 15 metres. Since weatherproof cable is a double insulated single string which is benign and harmless, petitioner should not have any serious objection. However, having regard to the small extent of land held by the petitioner, I direct the first respondent to retain the weatherproof cable exactly above the boundary of the petitioner's property with the neighbouring owner, whether it be over the compound wall or fence separating the property.

C.N.RAMACHANDRAN NAIR
Judge

pms